1/15 (1) (3)

IN THE HIGH COURT OF JUDRICATURE CHHATTISGARH AT BILASPUR

Single Bench

M.A. No. 678 /2006

APPELLANTS/ PLAINTIFFS

1. Gopiram Patel S/o Sunderlal Patel, aged about 38 years, Occupation – Agriculturist
2. Manohar Patel S/o Sunderlal Patel, aged about 36 years, Occupation – Agriculturist
3. Shyamlal Patel S/o Sunderlal Patel, aged about 33 years, Occupation – Agriculturist

All are R/o Village Koshmanda, P.S. – Pussor, Tah. & Distt. Raigarh (C.G.)

P.R. No. 1468/06 Presented by Shri. Amit Bhanu dated 12/5/2006

VERSUS

RESPONDENTS :

1. Smt. Mongra Chouhan Wd/o Late Urkula Chouhan, aged about 58 years, Occupation – House wife, Ra/o Vill. Pussore near Police Station, P.S. Pussore, Tahsil & District – Raigarh (C.G.)
2. Smt. Rukmani Chouhan D/o Urkula Chouhan aged about 42 years, Occupation House Wife , R/o Vill. Shivpuri Post – Gerwani, Tah. & Distt. Raigarh (C.G.)
3. The State of C.G. Through – Collector, Raigarh (C.G.)

RECEIVED-COPY 12/5/06 CLERK to A. G. BILASPUR

MISC APPEAL UNDER ORDER 43 RULE 1(R) OF CODE OF CIVIL PROCEDURE

XI-HC-78

(74)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक M.A.No.678/06 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	13.6.2006: Shri Amit Sharma, learned counsel for the appellants. Heard on admission. This appeal has been filed against order dated 28-4-2006 passed in Civil Suit No.22-A/2006 by Additional District Judge, Raigarh, whereby application filed by the appellants for temporary injunction has been rejected by the Court below on the ground that plaintiffs had prayed for temporary injunction restraining the defendants from alienating the suit property but, however, since the land in question already stands transferred, no purpose will be severed by passing any order for temporary injunction. Learned counsel for the appellants submits that on 21-4-2006, the Court below had directed the parties to maintain status quo with respect to the suit property and, therefore, the Court below has committed an illegality by rejecting the application for temporary injunction on the ground that the suit land already stands transferred. Taking into consideration the fact that the land in question stood transferred on the date of passing of the impugned order, the Court below has not committed any illegality by rejecting the application for temporary injunction by the impugned order. In the result, there is no merit in the appeal and the same is liable to be dismissed. It is accordingly dismissed. However, the appellants may take appropriate steps available to them under law in case the order of status quo, if any is breached in any manner whatsoever. **Sd/-** **Dhirendra Mishra** **Judge**	

Jyo

Mar 19.6.06